

PHARMACY BOARD[657]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 147.76, the Board of Pharmacy hereby gives Notice of Intended Action to amend Chapter 11, “Drugs in Emergency Medical Service Programs,” Iowa Administrative Code.

This amendment was approved at the November 1, 2017, regular meeting of the Board of Pharmacy.

In recent rule making by the Board, emergency medical service programs were required to obtain registration with the Board under the Iowa Uniform Controlled Substances Act (CSA) as well as with the Drug Enforcement Administration (DEA). The Board has learned recently that DEA does not currently have a registration category for such service programs in Iowa, leaving service programs unable to comply with the Board rule as it currently exists. This proposed amendment would remove the requirement that service programs obtain DEA registration.

Any interested person may present written comments, data, views, and arguments on the proposed amendment not later than 4:30 p.m. on January 19, 2018. Such written materials may be sent to Terry Witkowski, Executive Officer, Iowa Board of Pharmacy, 400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688; or by email at terry.witkowski@iowa.gov.

Requests for waiver or variance of the discretionary provisions of Board rules will be considered pursuant to 657—Chapter 34.

After analysis and review of this rule making, the impact on jobs cannot be determined. The cost to a service program of a DEA registration would have been in excess of \$700 for a three-year registration and will be avoided for the approximately 100 service programs to which this rule applies.

This amendment is intended to implement Iowa Code section 124.301.

The following amendment is proposed.

Amend subrule 11.3(1) as follows:

11.3(1) *Medical director-based service program.* In a medical director-based service program, CSA and DEA registrations shall be obtained for each primary program site in the name of the medical director. CSA and DEA registrations shall be obtained prior to procurement of any controlled substances for use in the service program. Separate registrations for program substations shall not be required. In a medical director-based service program, ~~the a CSA and DEA registrations~~ registration shall also be ~~issued~~ obtained in the name of the service program, shall secondarily name the medical director, and shall be issued for the address of the service program’s primary program site.